

ASSIGNED
53342

Serial No. _____

2nd AMENDED

APPLICATION FOR PERMISSION TO CHANGE POINT OF DIVERSION, MANNER
OF USE AND PLACE OF USE OF THE PUBLIC WATERS OF THE
STATE OF NEVADA HERETOFORE APPROPRIATED

Date of filing in State Engineer's Office. JUN 2 1989
Returned to applicant for correction. JUL 5 1989
Corrected application filed. JUL 24 1989 Map filed. AUG 13 1989 under 49931

The applicant Pegasus Gold Corporation
Suite 400, North 9 Post of Spokane
Street and No. or P.O. Box No. City or Town
Washington, 99201 hereby make application for permission to change the
State and Zip Code No.
Point of diversion
Point of diversion, manner of use, and/or place of use
of water heretofore appropriated under Permit 49932
(Identify existing right by Permit, Certificate, Proof or Claim Nos. If Decreed, give title of Decree and identify right in Decree.)

1. The source of water is underground
Name of stream, lake, underground spring or other source.
2. The amount of water to be changed. 1.14 cfs. or 268,000,000 gallons annually.
Second feet, acre feet. One second foot equals 448.3 gallons per minute.
3. The water to be used for. Mining and milling and domestic
Irrigation, power, mining, industrial, etc. If for stock state number and kind of animals.
4. The water heretofore permitted for. Mining and milling and domestic
Irrigation, power, mining, industrial, etc. If for stock state number and kind of animals.
5. The water is to be diverted at the following point SW $\frac{1}{4}$, NW $\frac{1}{4}$ (lot 1), Section 3, T.31N., R.33E., M.D.B. & M., Tie S18°W
Describe as being within a 40-acre subdivision of public survey and by course and distance to a section corner. If on unsurveyed land, it should be stated.
3420 feet to the northeast corner of Section 9, T.31N., R.33E., M.D.B. & M. (same point of diversion as existing Pegasus permit No. 48999).
6. The existing permitted point of diversion is located within NW $\frac{1}{4}$, NW $\frac{1}{4}$ of Section 11, T.31N., R.33E., M.D.B. & M., or at a point from which the NW corner of Section 11, T.31N., R.33E., bears N 69° 26' W a distance of 994.2 feet.
If point of diversion is not changed, do not answer
7. Proposed place of use. 2,3,4,9,10,11,14,15,16,37,38 and 39, T.31N., R.33E., M.D.B. & M.
Describe by legal subdivisions. If for irrigation state number of acres to be irrigated.
8. Existing place of use. Sections 2,3,4,9,10,11,14,15,16,37,38 and 39, T.31N., R.33E., M.D.B. & N.
Describe by legal subdivisions. If permit is for irrigation, state number of acres irrigated. If changing place of use and/or manner of use of irrigation permit, describe acreage to be removed from irrigation.
9. Use will be from January 1 to December 31 of each year.
Month and Day Month and Day
10. Use was permitted from January 1 to December 31 of each year.
Month and Day Month and Day
11. Description of proposed works. (Under the provisions of NRS 535.010 you may be required to submit plans and specifications of your diversion or storage works.) Well, pump and distribution system.
State manner in which water is to be diverted, i.e., diversion structure, ditches, pipes and flumes, or drilled well, etc.
12. Estimated cost of works. \$80,000.00
13. Estimated time required to construct works. 2 years

14. Estimated time required to complete the application of water to beneficial use. 5 years

15. Remarks: For use other than irrigation or stock watering, state number and type of units to be served or annual consumptive use.

Water from this location will be comingled with other Pegasus Gold Corporation permits. Water to be used in a heap leaching mining operation. See water rights map, filed with permit application No. 50312.

By s/Robert N. Wiley
P. O. Box 330
Imlay, NV 89418

Compared cc/se bp/vw

Protested _____

APPROVAL OF STATE ENGINEER

This is to certify I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions: This permit to change the point of diversion of the waters of an underground source as heretofore granted under Permit 49932 is issued subject to the terms and conditions imposed in said Permit 49932 and with the understanding that no other rights on the source will be affected by the change proposed herein. The well shall be equipped with a 2-inch opening and a totalizing meter must be installed and maintained in the discharge pipeline near the point of diversion and accurate measurements must be kept of water placed to beneficial use. The totalizing meter must be installed before any use of the water begins or before the proof of completion of work is filed. If the well is flowing, a valve must be installed and maintained to prevent waste. This source is located within an area designated by the State Engineer pursuant to NRS 534.030. The State retains the right to regulate the use of the water herein granted at any and all times.

This Permit does not extend the permittee the right of ingress and egress on public, private or corporate lands.

The total combined duty of water under Permits 48996, 48997, 48998, 48999, 49000, 49931, 50312 and 53342 shall not exceed 268 million gallons annually.

This permit is issued under the preferred use provisions of NRS Chapter 534. The manner of use of water under this permit is by nature of its activity a temporary use and any application to change the manner of use granted under this permit will be subject to additional determination and evaluation with respect to the permanent effects on existing rights and the resource within the ground water basin.

The issuance of this permit does not waive the requirements that the permit holder obtain other permits from State, Federal and local agencies.

The amount of water to be changed shall be limited to the amount which can be applied to beneficial use, and not to

exceed 1.14 cubic feet per second, but not to exceed 268 million gallons annually.

Work must be prosecuted with reasonable diligence and be completed on or before September 2, 1990

Proof of completion of work shall be filed before October 2, 1990

Application of water to beneficial use shall be made on or before September 11, 1990

Proof of the application of water to beneficial use shall be filed on or before October 11, 1990

Map in support of proof of beneficial use shall be filed on or before N/A

Completion of work filed AUG 21 1990 IN TESTIMONY WHEREOF, I R. MICHAEL TURNIPSEED, P.E.

Proof of beneficial use filed MAY 20 1991 State Engineer of Nevada, have hereunto set my hand and the seal of my

office, this 2nd day of July,

Cultural map filed _____

Certificate No. 13245 Issued JAN 30 1992 A.D. 19 90

[Signature]
 State Engineer